

Message Text

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ACTION EUR-12

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TO SECSTATE WASHDC 6171

INFO AMCONSUL MILAN

AMCONSUL NAPLES

AMCONSUL FLORENCE

AMCONSUL GENOA

AMCONSUL PALERMO

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SUBJ: CHAMBER OF DEPUTIES APPROVES REFORM OF THE SECURITY
SERVICES AS SENATE POSTPONES DEBATE ON FAIR RENT LAW

REF: A) ROME 11011, B) ROME 11364

SUMMARY: THE CHAMBER OF DEPUTIES ON JULY 27 APPROVED BY
WIDE MARGINS THE SEVEN ARTICLES OF A DRAFT LAW FOR REFORM
OF THE SECURITY SERVICES WHICH WILL PLACE ULTIMATE
EXECUTIVE CONTROL OVER INTELLIGENCE MATTERS IN THE HANDS
OF THE PRIME MINISTER. IT IS THE FIRST PIECE OF LEGISLATION
TIED TO THE PUBLIC ORDER SECTION OF THE PROGRAM ACCORD (SEE
REF. A) TO BE CONSIDERED BY THE CHAMBER. ON THE SAME DAY,
THE SENATE REACHED AN INFORMAL AGREEMENT TO POSTPONE UNTIL
THE FALL FURTHER DEBATE ON THE CONTENTIOUS FAIR RENT LAW
(SEE REF. B) AFTER OVER 150 AMENDMENTS AND REVISIONS OF
THE ORIGINAL DRAFT LEGISLATION WERE PRESENTED DURING THE
FIRST DAY'S DISCUSSIONS. END SUMMARY.

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1. ON JULY 7 THE CHAMBER OF DEPUTIES APPROVED BY WIDE
MARGINS THE SEVEN ARTICLES OF A DRAFT LAW FOR REFORM OF
THE SECURITY SERVICES, THE FIRST PIECE OF PUBLIC ORDER
LEGISLATION TIED TO THE PROGRAM ACCORD. APPROVAL OF
THE REFORM BILL AS A WHOLE IS EXPECTED ON JULY 28. THE
LEFTWING RADICALS AND PDUP AND THE FAR RIGHT MSI CAST

THE ONLY NEGATIVE VOTES IN THE JULY 27 BALLOTING, WHILE RIGHTIST DEMOCRAZIA NAZIONALE WAS THE SOLE ABSTAINING PARTY. (THE PCI VOTED IN FAVOR.)

2. THE BILL ESTABLISHES AN INTERMINISTERIAL COMMITTEE FOR INFORMATION AND SECURITY, WHICH WILL REPORT TO THE PRIME MINISTER, TO OVERSEE THE SECURITY SERVICES BUT THE EXECUTIVE FUNCTION IS TO BE PERFORMED BY THE "EXECUTIVE COMMITTEE FOR THE INFORMATION AND SECURITY SERVICES" (CESIS), WHICH WILL BE HEADED BY THE PRIME MINISTER OR HIS DEPUTY. THE LAW PROVIDES FOR TWO SECURITY SERVICES: THE "SERVICE FOR MILITARY INFORMATION AND SECURITY" (SISMI), WHICH WILL BE STAFFED AND RUN BY THE MINISTRY OF DEFENSE AND HAVE AMONG ITS RESPONSIBILITIES COUNTERESPIONAGE WORK, AND THE "SERVICE FOR INFORMATION AND DEMOCRATIC SECURITY" (SISDE), WHICH WILL BE ATTACHED TO THE MINISTRY OF THE INTERIOR. THEY ARE EXPECTED TO "MAINTAIN RECIPROCAL COLLABORATION AND ASSISTANCE". SISMI AND SISDE (WHICH ARE ESSENTIALLY SUCCESSOR ORGANIZATIONS TO SID AND SDS RESPECTIVELY) ARE PROHIBITED FROM HIRING OR "UTILIZING IN ANY WAY, EITHER AS COLLABORATORS OR INFORMANTS", MEMBERS OF PARLIAMENT, REGIONAL, PROVINCIAL OR COMMUNAL COUNCIL MEMBERS, MAGISTRATES, OR REGISTERED PROFESSIONAL JOURNALISTS. NOR MAY THEY USE THE SERVICES OF INDIVIDUALS WHO "DO NOT GIVE SECURE CONFIDENCE AND LOYALTY TO THE LIMITED OFFICIAL USE

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REPUBLICAN CONSTITUTION". THE GOVERNMENT WILL BE EXPECTED TO REPORT ON INTELLIGENCE ACTIVITIES EVERY SIX MONTHS TO A PARLIAMENTARY COMMISSION COMPOSED OF FOUR DEPUTIES AND FOUR SENATORS SELECTED BY THE PRIME MINISTER ON THE BASIS OF PROPORTIONALITY.

3. THE TERM "STATE SECRET" IS TO BE USED TO DESIGNATE "DOCUMENTS, NEWS, OR ACTIVITIES, THE DISSEMINATION OF WHICH COULD DAMAGE THE INTEGRITY OF THE DEMOCRATIC STATE OR THE DEFENSE OF ITS INSTITUTIONS". THE LAW RECOGNIZES THAT STATE SECRETS SHOULD BE PROTECTED FROM REVELATION THROUGH TESTIMONY IN THE COURTS OR PARLIAMENT AND THAT DISPUTES MAY ARISE OVER WHETHER DOCUMENTS OR INFORMATION ARE LEGITIMATELY CLASSIFIED. THE PRIME MINISTER MUST DECIDE IN SUCH CASES WHETHER THE CLASSIFICATION IS JUSTIFIED AND REPORT THE REASONING BEHIND HIS DECISION TO PARLIAMENT (THROUGH THE PARLIAMENTARY COMMISSION ON SECURITY SERVICES) WITHIN SIXTH DAYS. COMMENT: THE PRINCIPLE EFFECT OF THE SECURITY SERVICES REFORM IS THE CONCENTRATION OF A CONSIDERABLE AMOUNT OF POWER IN THIS AREA IN THE HANDS OF THE INDIVIDUAL HOLDING THE OFFICE OF PRIME MINISTER. END COMMENT.

4. ALSO ON JULY 27, THE SENATE REACHED AN INFORMAL AGREEMENT TO POSTPONE UNTIL THE FALL ITS DEBATE ON THE CONTROVERSIAL FAIR RENT LAW, WHICH IS NOT LINKED TO THE PROGRAM ACCORD. (SEE REF. B). ON THE FIRST DAY OF THE SENATE'S DEBATE ON THE BILL OVER 150 AMENDEMENTS AND REVISIONS OF THE ORIGINAL TEXT OF THE MEASURE WERE PROPOSED BY LEADERS OF THE VARIOUS SENATE PARTY GROUPS. DEBATE ON PROPOSED REVISIONS COULD NOT HAVE BEEN COMPLETED PRIOR TO JULY 29, THE DATE PARLIAMENT IS SCHEDULED TO GO INTO RECESS. A FORMAL VOTE TO POSTPONE FURTHER DEBATE ON THE FAIR RENT LAW IS EXPECTED ON JULY 28. COMMENT: LARGE DIFFERENCES REMAIN OVER THE FAIR RENT LAW, AND BOTH THE DC AND LIMITED OFFICIAL USE

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THE ABSTAINING PARTIES APPEAR TO HAVE BEEN ANXIOUS TO AVOID FORCING A CONFRONTATION IN THE LAST DAYS OF THE PARLIAMENTARY SESSION. HOLMES

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Disposition Case Number: n/a
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